



STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE EMERGENCY MEDICAL SERVICES
16 EDISON DRIVE
AUGUSTA, MAINE
04330

MICHAEL F. KELLY
COMMISSIONER

ANGUS S. KING, JR.
GOVERNOR

JAY BRADSHAW
DIRECTOR

Board of EMS Meeting
Maine EMS Conference Room
January 3, 2001

MINUTES

Members Present: Jim McKenney (Chair), Leo Bouchard (Chair-elect), Robert Ashby, Peter DiPietrantonio, Debbie Dane, Richard Doughty, William Dunwoody, Paul Knowlton, Penelope Stevens, Steve Leach, Charles Little, Carol Pillsbury, Alan Azzara, Wayne Werts, John Burton (ex-officio)

Regional Coordinators: Joanne LeBrun, Donnie Carroll, Bill Zito, Rick Petrie

Staff: Jay Bradshaw, Dwight Corning, Bill Montejo, Drexell White

Guests: Tim Beals (Delta Ambulance Service)

1. Introduction of Guests

Those present introduced themselves and their affiliations.

2. Approval of November 1, 2000 minutes.

MOTION: To approve the minutes of the November 1, 2000 meeting as distributed. (Leach; second by Dunwoody). Approved.

3. Old Business

a. Legislation

- i. Jay reported that the EMS Department Bill has been approved for submission by the Governor's Office and he is working to secure a sponsor and co-sponsors for same.
- ii. In the past a list of Bill Titles has been made available in order to begin working with Legislators on bills which affect EMS; however, this year there is some discussion that the titles themselves may be confidential and therefore would not be released.
- iii. Various bills which have been mentioned at meetings which Jay has attended include:
 - ✓ Good Samaritan protection for anyone using an AED
 - ✓ Epi-Kits for all First Responders

- ✓ Removal of Service Sponsorship as a condition of licensure
- ✓ Requiring high school students to take a CPR class before graduating
- ✓ Reducing the number of EMS Regions
- ✓ Light bars on personal vehicles for use at an emergency scene
- ✓ Washington County EMS Authority

As soon as any of these appear with an LD number and bill text, Jay will distribute them to Board Members.

- iv. Donnie Carroll briefly described and provided copies of two bills that SMEMS has worked toward having submitted. The first is to establish and fund a Commission to study the EMS system (\$50,000). The second is to adjust the funding for designated EMS councils (\$356,412) and to allocate an additional \$809,688 in FY 2002 based upon a distribution system developed by the Legislature. Donnie also provide a handout on alternative funding sources that may be considered for future EMS funding.

b. Budget

- i. Jay reported that our “Part Two” request (which completes the transition of funding from the PHHSBG to State General Funds) has been approved by the Governor’s Office and will be included in his budget when presented to the Legislature.
- ii. The two additional positions that the office requested (Training Agent and QA Coordinator) have been denied; however, there is support from the Commissioner for an EMSC Coordinator that would be funded by a federal grant. It remains to be seen if the Governor will approve the EMSC position.

4. New Business

a. Nomination Committee Report

Wayne reported that the Committee nominates Leo Bouchard for Chairman and presents the names of Bill Dunwoody and Carol Pillsbury for Chair-Elect. There were no other names nominated and a vote of the Board elected Carol Pillsbury.

b. Investigations Task Force Report

Wayne reported that the Task Force met yesterday morning and continued its work on a matrix for disciplinary action that could be published by the Board and distributed to students and potential licensees. The matrix would provide for consideration of extenuating circumstances, but provide guidance for both licensees and the Board as it considers future applications and investigations.

The Task Force will meet again on February 7 as it works to complete this matrix in time for presentation at the March Board meeting.

c. Investigations Committee Action Items

MOTION: To ratify the consent agreement as proposed and negotiated by the Investigations Committee, MEMS staff, and the Office of the Attorney General in the matter of Barry Nickelsberg and that MEMS staff is to request that the Office of the Attorney General file a complaint in Administrative Court for the suspension or

revocation of Mr. Nickelsberg's Maine EMS license. (Stevens; second by Leach).
Unanimous

MOTION: To ratify the consent agreement as proposed and negotiated by the Investigations Committee, MEMS staff, and the Office of the Attorney General in the matter of Paul Dalglish. (Bouchard; second by Little). Carried with one abstention (DiPietrantonio).

MOTION: To ratify the consent agreement as proposed and negotiated by the Investigations Committee, MEMS staff, and the Office of the Attorney General in the matter of Randy Harden. (Little; second by Leach). Carried with 4 opposed (Dane, Pillsbury, Dunwoody, Stevens), and one abstention (Doughty).

MOTION: To ratify the consent agreement as proposed and negotiated by the Investigations Committee, MEMS staff, and the Office of the Attorney General in the matter of Philip Frederick. (Little; second by Bouchard) Unanimous.

d. Operations Team Action Items

None at this time; however, Jay reported that the Operations Team will be meeting next Tuesday, January 9, and among other items will work on the project prioritization list which was compiled following a survey distributed to the Board a couple of months ago.

e. Service sponsorship work group

Jay distributed notes from a meeting that was held December 6, 2000. Jay reported that the group is looking for feedback from the Board as it works toward a straw man model that could serve as an option for the future. Following discussion to emphasize that under such a model individuals would not be independent practitioners, it was the consensus that the group should continue its work and keep the Board apprised of the progress.

Next meeting of the work group will be Tuesday, January 30, 9:00 – 12:00 at Maine EMS.

f. MDPB position on Medical Director signature

Jay reported that MEMS has received several service applications that a regional medical director has declined to sign due to QA concerns. In reviewing these applications and discussing them with AAG Laura Yustak Smith, it has been brought to our attention that the Board needs to formally act upon the MDPB recommendation regarding the medical director's signature.

In April 1998, the MDPB voted that such a signature on a renewal application was an indicator that a service met the following conditions:

- o The service adheres to Continuous Quality Improvement (CQI) requirements and committee composition as approved and published by Maine EMS.
- o The service adheres to Regional Continuous Quality Improvement (CQI) requirements as published by the Region and approved by Maine EMS.
- o The service maintains a system of ALS Backup.

According to Attorney Yustak Smith, in order for the Board to enforce these for licensure purposes, the Board must first approve the MDPB's action and secondly approve and publish each regional QA plan.

MOTION: To approve the MDPB's recommendation for medical director signature on service license application. (Little; second by Leach) Unanimous

Jay said that Bill Montejo has reviewed several of the regional plans with particular attention paid to how the QA plan interfaces with the EMS Rules and Law. He will be meeting with each regional office and present these plans to the Board at future meetings for approval.

g. Delta Ambulance Request for Interpretation

This is a request that comes from Delta Ambulance for clarification of section 11.6.C and addresses calls to which an ambulance service transports a patient and where the patient may not require an ambulance due to medical needs.

Tim Beals explained that there are times where Delta is being called by hospital personnel to transport patients from hospitals to the patient's place of residence. In some of these cases, the patient does not need EMS care during the transport.

Extensive discussion ensued and focused on the language in the Rules and the need to consider modifying the language to make it clear that it is the intention of the Board to enforce action in such cases only where a pattern of inappropriate solicitation or transportation for a fee exists.

MOTION: To table this issue until a future meeting to allow staff the opportunity to further discuss this with the EMS AAG. (Werts; second by Little) Carried with one opposition (Dunwoody)

h. Other

None at this time.

5. Staff Reports

a. Office

- i. The EMS licensing program has been updated to convert CEHs to the new schedule. The program also now generates a letter for service chiefs alerting them to individuals whose license is about to expire.
- ii. EMS Day at the Legislature will be held on Thursday, January 18, 2001, 9:00 – 12:00 in the Hall of Flags. This is an informal, informational opportunity to meet members of the 120th Legislature. Board members are invited to attend.
- iii. The new MCI vests that were provided under a grant from Highway Safety have been sent to all EMS services. One set was provided at no charge for each licensed ambulance and one set for each non-transporting service.
- iv. The electronic run-reporting project continues to move forward. Efforts are progressing on the link with the MHIC data system. After the program has been activated and an assessment can be made about implementation issues, training will be expanded into other areas.
- v. Jay reported that the work on the revised web pages is continuing. The first phase will be primarily cosmetic with some added features such as a feedback form and bulletin board. Future revisions will include the ability to look up license status and CEH credits. The first

phase should be ready in January, and other phases will take place over the next several months.

b. MDPB

Dr. Burton reported that due to a snowstorm, the MDPB did not meet in December. At the January meeting, Dr. Hopperstead will provide an update on the activities of LifeFlight of Maine and the lessons that are being learned through their QA process.

Also on the January agenda is a discussion on the AHA ACLS changes and how MEMS can/should adjust the prehospital protocols as a result. There will also be a discussion on the role of PAs in rural EMS settings and how to address special treatment needs for exceptional patients.

6. Other

None at this time.

7. Adjourn: The meeting adjourned at 11:50.